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13 **UNITED STATES DISTRICT COURT**

14 **DISTRICT OF NEVADA**

15 ANTHONY S. JACOBSON, an individual,

16 Plaintiff,

17 vs.

18 ASTRED M. RODRIGUEZ, an individual,

19 Defendant.

Case No. 2:20-cv-00797-APG-BNW

**STIPULATION AND [PROPOSED]
ORDER TO AMEND CASE
MANAGEMENT DEADLINES**

(First Request)

1 Pursuant to LR 26-3, Plaintiff ANTHONY S. JACOBSON (“Plaintiff” or “Jacobson”) and
2 Defendant ASTRED M. RODRIGUEZ (“Defendant” or “Rodriguez”) stipulate to amend the case
3 management deadlines, as follows:

4 1. **A statement specifying the discovery completed.** Plaintiff served its initial
5 disclosures on September 7, 2021. Plaintiff served an initial set of interrogatories, requests for
6 admissions, and requests for production on Defendant on September 20, 2021. Defendant served
7 written objections or responses to Plaintiff’s requests for admissions on November 3, 2021.
8 Defendant served its initial disclosures on November 4, 2021. Defendant served its written
9 objections and answers to Plaintiff’s interrogatories on November 10, 2021 and its written
10 objections to Plaintiff’s requests for the production of documents on November 15, 2021.
11 Defendant served its initial set of interrogatories and its initial set of requests for the production
12 of documents on Plaintiff on November 16, 2021.

13 2. **A specific description of the discovery that remains to be completed.** The
14 parties have agreed to limit the scope of all remaining discovery as follows: (a) Plaintiff will
15 respond to Defendant’s document requests but will only answer Defendant’s Interrogatories 1-6;
16 (b) the parties will each take the other party’s deposition remotely by videoconference; and (c)
17 the parties may subpoena third party AOM Holdings, LLC.

18 3. **The reasons why the remaining discovery was not completed.** During the
19 discovery period, the parties have focused their efforts on settlement rather than litigation. In
20 addition, the parties’ counsel encountered multiple scheduling conflicts that interfered with and
21 hindered their ability to conduct discovery. Moreover, good cause for the requested extension
22 exists so that the parties can develop the facts of their case so that it may be decided on the merits
23 rather than as a result of the application of a technical deadline. *See, e.g., Foman v. Davis*, 371
24 U.S. 178 (1962) (stating, in the context of a motion to amend the complaint, that: “It is . . . entirely
25 contrary to the spirit of the Federal Rules of Civil Procedure for decisions on the merits to be
26 avoided on the basis of such mere technicalities.”). Here, the parties agree that the foregoing
27 circumstances constitutes good cause for this first and short extension of the remaining case
28 management deadlines.

4. A proposed schedule for completing all remaining discovery. The parties propose extending the discovery cutoff to **January 22, 2022**, the dispositive motion cutoff to **February 22, 2022**, and the joint final pretrial order deadline to **March 24, 2022**.

IT IS SO AGREED AND STIPULATED, this 19th day of November 2021:

KUTACK ROCK, LLP

MARQUIS AURBACH COFFING

By: /s/ K. Jon Breyer

By: /s/ Jennifer L. Micheli

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IT IS SO ORDERED:



UNITED STATES MAGISTRATE JUDGE

DATED: November 23, 2021

HOWARD & HOWARD ATTORNEYS PLLC